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26 January 1966

MEMORANDUM FOR: Director of Central Reference

SUBJECT: COSATI Meeting, 19 January 1966

1. The Chairman introduced John G. Lorenz as the new representative of the Library of Congress. (If he comes regularly to meetings and makes as good an impression as he did this time, the participation of Mr. Lorenz in COSATI is a great step forward in government-wide coordination.)
2. Mr. Knox announced two significant new publications. The first issue of NLM's Current Catalog has just appeared. This is a bi-weekly, computer-generated listing of monographs added to the book catalog at NLM. NAL will start soon to produce a monthly current catalog of new book titles. At the outset it will be produced manually; later the computer will take over. Mr. Knox also displayed a copy of the Agricultural/Biological Subject Category List, which is a modification of the basic COSATI Subject Category List.
3. Bill Knox stated that he had had a pleasant and very rewarding lunch with Verner Clapp of the Council on Library Resources. He also said that the ad hoc steering group met last week and discussed three proposed COSATI panels.
4. Bill Knox, John Sherrod and Andy Aines met with Henry Loomis of the Office of Education on the need for, and possible availability of, funds to improve library service and information transfer. Although no promises were made, it seems that many problems that were formerly considered too tough or too costly to tackle can now be undertaken with at least some likelihood of making progress. The Bureau of Library Services has been reorganized in order to add responsibilities under Title II of the Higher Education Act. The programs to make books available to colleges and universities and to improve library training will depend largely upon stimulating interest on the part of institutions of higher learning. The Office of Education is now looking for an expert stimulator.
5. The Task Group on National Systems is negotiating with SDC for a study on abstracting and indexing services comparable to their two volume study on National Document Handling Systems in Science and Technology.

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This will not be announced until competitive proposals are requested for two exploratory studies, one on data handling systems (as opposed to information handling systems) and the other on oral and other informal communications.

6. The basic SDC report has been receiving favorable publicity. The stock of the report is exhausted but an initial reprinting of 300 copies is expected 20 January 1966 and an additional one thousand copies are expected from GPO 26 January 1966. The price will remain \$3.50 a copy, in spite of lengthy discussions of the price fluctuations according to the size of the run. There was some criticism that only 75 copies were delivered as part of the original contract. Reprinting is not only costly but is subject to a limitation of 300 copies imposed by the Joint Committee on Printing. Waivers are obtainable but mean additional nuisance and delay.

7. Contributions to the COSATI progress report are due 31 January 1966. Although traditionally only full members of COSATI are required to make such contributions, Mr. Lorenz stated that LC would make one this year.

8. The next Federal Council meeting, 28 January 1966, will discuss a possible expansion of the NASA/DoD research reporting system. They will probably set up an ad hoc study group, reporting directly to the Council but with representation from COSATI.

9. The chief speaker was Abraham L. Kaminstein, Register of Copyrights, Library of Congress. He gave a very lucid status report on copyright law revision, making clear how the problem has expanded to include such questions as: different levels of "fair use," possible conflict with antitrust legislation, and community antenna TV. The 22 days of hearings will be reported in three thick volumes now at the printers. As a sidelight, he mentioned that they will have a computer-produced index which will be especially useful to find all statements by a given witness. He feels that the House committee conducting the hearings is exceptionally able but he is not optimistic about passage this year. Perhaps the greatest change in copyright discussions is the playdown of the "manufacturer's clause" and the concentration on questions of photocopying, the sending of proofs abroad for cheap reproduction, and the implications of storing texts in computers.

10. On the question of fair use, Mr. Kaminstein feels that educators tend to assume that there is no harm done to the publishers since they (the educators) don't benefit directly from the making of occasional copies. He likened this above-all-that attitude to the position taken by many educational TV producers who feel that they can do no wrong since they are not making a profit. If fair use were limited to a single copy, the furor might blow over, but the practice is now quite widespread of making half a dozen copies of whatever is needed for serious investigation and giving these gratis to one's colleagues. It is difficult to measure the

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effects of this practice but publishers are quite concerned about it. To emphasize the potential of this type of copying, he said that Xerox copies increased from 9 1/2 billion in 1964 to 25 billion in 1965. At one time permission to copy was slow in coming, but some publishers now stand ready to grant permission within one day and, to the extent that they can steer clear of antitrust accusations, they may try to set up some kind of permission bureau (they shy away from the word "clearance"). Since there is so little profit in the granting of copying rights, they might even be willing to see this permission delegated to a U.S. Government agency.

11. The implications of computer use were scarcely recognized by copyright authorities a few years ago. As a first tangible step, computer programs are now considered suitable for copyright registration. In practice, very few have been registered thus far. Beyond the handling of programs as publications, there are many obscure points of law concerning the point at which infringement might occur. Generally speaking, the placing of a text into computer language is considered a form of translation from one language to another. Output in printed form from a computer is comparable to hard copy publication by any other means. Within the machine, manipulation of text can occur in many ways and no single rule of thumb appears to cover them all. For example, the computer generation of an index to a publication is seldom thought of as conflicting with the sale of the text itself. On the other hand, some indexes, notably those to legal cases and publications, are commercially marketable publications in their own right even though no connected text is contained in them. Thus some indexes appear to require copyright protection, while others do not.

12. Mr. Kaminstein barely touched upon a problem of textual protection which is bound to become very serious in the next 10 or 20 years. When text is stored in computer form and is used not only for spot referral and manipulation but as text, how many users will find that they can do without the hard copy publication? If they obtain a single copy print-out of a portion of text, does this constitute fair use or is it, cumulatively, a threat to the publisher's rights? If text is read on a cathode ray tube or other display device, has there been any violation of copyright? Royalty formulas will doubtless be developed for the use of publisher-produced tapes, but it will be very difficult to cover this question in any over-all legislation since no one can see the limits of technical capabilities.

13. As an example of how a simple problem becomes complex, Mr. Kaminstein cited the legal and economic implications of community antenna TV. As long as CATV is used to carry urban programs to rural audiences, everyone, including advertisers, is delighted, but conflict arises when CATV is used--for a fee--to improve reception in an area that already receives a given program. For example, there is a canyon effect in many parts of New York City that affects reception, and many viewers will gladly pay a fee to get a better picture.

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Broadcasts in color are especially subject to fluctuations in quality according to local surroundings within an area of generally good reception. It is general practice to blank out a city that originates a major sports event. If CATV is able to pick up and relay to the host city a program broadcast from a neighboring city, then the sports promoter is likely to call "foul!"

14. Mr. Kaminstein reminded COSATI that the Office of Education said last year that works produced with government funds will go into the public domain. Bob Stegmaier said that some people in DoD urged copyright registration, perhaps allowing no-fee use by the government, and private publication on a royalty or royalty-free basis. The issue is complicated when the originator of a publication is a contractor working with government funds. AEC feels that the government should be able to copyright. The General Counsel of NASA feels that substance is in the public domain, but the form in which it appears is copyrightable. In response to a question from Ed Brunenkant, Mr. Kaminstein stated that infringement is involved in the making of a microfilm or even a magnetic tape, i.e., the fact of copying is an infringement even though the new format may not be readily useable by a potential user.

15. Mel Day reported for the Panel on International Information Activities. He said that Dr. Cummings is revising the draft on international exchange of machine readable text. A task group under Bill Mills of State is urgently working up a statement of international science and technology information objectives, which should be at least a draft of the national objectives in this field. Bill Knox urged maximum speed on this since PSAC is very much concerned with this area of international communication. Seymour Taine is completing a paper on the availability of magnetic tapes for domestic use. Some members of the panel will have lunch with a 7-man Soviet delegation now touring this country. Bill Mills of State has been active in setting up this tour.

16. John Sherrod reported on education and training. His panel has had two meetings with the Office of Education. They feel that one million dollars yearly will be needed for aid to student trainees. In cooperation with the FLC, they hope to produce a comprehensive federal register of science information personnel.

17. Ruth Davis said that her report on information sciences technology has gone to COSATI. Her panel looked at three thousand projects, of which ~~eight thousand~~ ⁸⁰⁰ were considered unique and pertinent. A series of symposia on basic problem areas was designed for the panel members, but interest is so great that attendance has jumped to 30. Ruth hopes to hold them at this level so as to permit free exchange of ideas.

18. Mel Day raised a general question about the release of panel reports containing valuable facts and conclusions. Lee Westrate said that this matter has

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been reviewed by the Federal Council and that COSATI should follow their guidelines. Burt Adkinson said that some of the reports in draft stage contain dynamite and, while admitting that an occasional explosion might be a good thing, Lee felt that COSATI should be the judge of where to place the charge and when to detonate it.

19. Ed Stiles handed out his monthly chart of topics under study by the COSATI Panel on Operational Techniques & Systems (copy attached). In connection with depositories, he hopes that his panel will be able to look at the entire problem of availability of texts to the public before narrowing it down as in the earlier proposal. At the suggestion of John Lorenz, Paul Howard will participate in this study, since he is as knowledgeable as anyone on this subject. In connection with standards, Ed is not asking for more activity; he feels that everyone in town is on a standards kick, usually with very little expertise, and what is needed is some one to give some shape to the chaos.

20. The responsibilities of the COSATI ad hoc Microfiche Committee have been reassigned to the Committee on Administrative Techniques and Systems. Ed Brunenkant, the former chairman, urged that the continuing nature of this job be reaffirmed, citing a trade journal comment that "microfiche is the most rapidly growing activity in the microfilm world."

21. Burt Adkinson reported that a Mr. Connors of the Committee on Investigations of the House Committee on Commerce is looking into science information and probably all types of information. He will probably be contacting various members of COSATI.

22. Next Monday, Seymour Taine of NSF will transfer to NASA.

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24. Ellis Kelsey reported that Public Health R&D projects will be reported regularly to the Clearinghouse. He also said that an advisory committee on health communication, consisting of 30 to 40 top-notch consultants, is being established to advise the Secretary of HEW.

25. Bob Stegmaier reported that, effective 1 January 1966, the COSATI Subject Category List is used for the computer files of the 400 thousand documents in DDC. The List is also used for the DoD central file of customer field of interest in R&D areas. He reminded members that Project LEX is still trying to assemble as complete as possible a list of specialized vocabularies. An announcement has just been distributed asking for customer interest in receiving information in tape form. He called attention to the article in the January 1966 issue of Special Libraries containing a summary of replies to the SLA

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questionnaire on government information services. His deputy, Greg Abdian, has been hospitalized for three weeks with a slipped disc and is just now back to work.

26. Berny Fry reported that current research projects are now being listed by the Clearinghouse, arranged by COSATI categories and using a 3-column format.

(Burt Adkinson mentioned before the meeting that, if Congress says okay, he will ask for five times as much PL 480 money as at present to have translations done overseas.)

27. The next meeting will be held Wednesday, 16 February 1966 in Room 444, EOB.



Chief Reference Librarian

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